

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CARRIE SINCLAIR, )  
Plaintiff, )  
                    ) No. 1:21-cv-159  
-v-                )  
                    )  
JOSHUA J. ENTERPRISE, INC., ) Honorable Paul L. Maloney  
Defendant.       )  
                    )

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**ORDER**

Defendant filed an *ex parte* motion for more time to file a response. (ECF No. 27.)

The Court will grant the motion.

Plaintiff Sinclair, through counsel, filed a motion to certify this lawsuit as a collective action under the Fair Labor Standards Act. Since then, communication between counsel and plaintiff deteriorated and counsel filed a motion to withdraw, a motion the Court granted. As part of that Order, the Court required Plaintiff, by July 13, 2021, to have another attorney file an appearance or to notify the Clerk in writing that she would represent herself. (PageID.185.) The Court notes that the earlier Order was mailed to that address and that the mail was not returned as undeliverable. Plaintiff did not meet the July 13 deadline. Defendant's response to the motion to certify was due on the day it filed this motion.

1. The Court **GRANTS** Defendant's motion for an extension of time. (ECF No. 27.) The Court will not establish a deadline for a response until it hears from Plaintiff.
2. Additionally, Plaintiff must **SHOW CAUSE** why this lawsuit should not be dismissed for lack of prosecution. Plaintiff failed to respond to the earlier Order by the July

13 deadline. To respond to this Order, Plaintiff must submit to the Court, in writing, an explanation why she failed to meet the July 13 deadline. The Court must receive Plaintiff's response no later than July 30, 2021. Upon review of Plaintiff's response, the Court will consider how this lawsuit will proceed and will issue an appropriate notice or order. Failure to meet the July 30 deadline will result in the dismissal of this lawsuit for failure to prosecute.

Additionally, the Clerk **SHALL AMEND** the electronic docket so that Defendant's *ex parte* motion can be viewed by all parties and the public.

**IT IS SO ORDERED.**

Date: July 16, 2021

/s/ Paul L. Maloney  
Paul L. Maloney  
United States District Judge